

**ASSEMBLY BILL**

**No. 584**

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**Introduced by Assembly Member Huber**

February 25, 2009

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An act to amend Section 26708 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 584, as introduced, Huber. Vehicles: windshield or side window view: emergency vehicles.

Existing law prohibits any person, except as specified, from driving any motor vehicle with any object or material placed, displayed, installed, affixed, or applied in or upon the vehicle that obstructs or reduces the driver's clear view through the windshield or side windows.

This bill would exempt from these provisions emergency vehicles, as defined, if the object or material does not interfere with the driver's clear view of approaching traffic.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 26708 of the Vehicle Code is amended  
2 to read:

3 26708. (a) (1) A person shall not drive any motor vehicle with  
4 any object or material placed, displayed, installed, affixed, or  
5 applied upon the windshield or side or rear windows.

6 (2) A person shall not drive any motor vehicle with any object  
7 or material placed, displayed, installed, affixed, or applied in or

1 upon the vehicle that obstructs or reduces the driver's clear view  
2 through the windshield or side windows.

3 (3) This subdivision applies to a person driving a motor vehicle  
4 with the driver's clear vision through the windshield, or side or  
5 rear windows, obstructed by snow or ice.

6 (b) This section does not apply to any of the following:

7 (1) Rearview mirrors.

8 (2) Adjustable nontransparent sunvisors that are mounted  
9 forward of the side windows and are not attached to the glass.

10 (3) Signs, stickers, or other materials that are displayed in a  
11 7-inch square in the lower corner of the windshield farthest  
12 removed from the driver, signs, stickers, or other materials that  
13 are displayed in a 7-inch square in the lower corner of the rear  
14 window farthest removed from the driver, or signs, stickers, or  
15 other materials that are displayed in a 5-inch square in the lower  
16 corner of the windshield nearest the driver.

17 (4) Side windows that are to the rear of the driver.

18 (5) Direction, destination, or termini signs upon a passenger  
19 common carrier motor vehicle or a schoolbus, if those signs do  
20 not interfere with the driver's clear view of approaching traffic.

21 (6) Rear window wiper motor.

22 (7) Rear trunk lid handle or hinges.

23 (8) The rear window or windows, if the motor vehicle is  
24 equipped with outside mirrors on both the left- and right-hand  
25 sides of the vehicle that are so located as to reflect to the driver a  
26 view of the highway through each mirror for a distance of at least  
27 200 feet to the rear of the vehicle.

28 (9) A clear, transparent lens affixed to the side window opposite  
29 the driver on a vehicle greater than 80 inches in width and that  
30 occupies an area not exceeding 50 square inches of the lowest  
31 corner toward the rear of that window and that provides the driver  
32 with a wide-angle view through the lens.

33 (10) Sun screening devices meeting the requirements of Section  
34 26708.2 installed on the side windows on either side of the  
35 vehicle's front seat, if the driver or a passenger in the front seat  
36 has in his or her possession a letter or other document signed by  
37 a licensed physician and surgeon certifying that the person must  
38 be shaded from the sun due to a medical condition, or has in his  
39 or her possession a letter or other document signed by a licensed  
40 optometrist certifying that the person must be shaded from the sun

1 due to a visual condition. The devices authorized by this paragraph  
2 shall not be used during darkness.

3 (11) An electronic communication device affixed to the center  
4 uppermost portion of the interior of a windshield within an area  
5 that is not greater than 5 inches square, if the device provides either  
6 of the following:

7 (A) The capability for enforcement facilities of the Department  
8 of the California Highway Patrol to communicate with a vehicle  
9 equipped with the device.

10 (B) The capability for electronic toll and traffic management  
11 on public or private roads or facilities.

12 (12) A portable Global Positioning System (GPS), which may  
13 be mounted in a 7-inch square in the lower corner of the windshield  
14 farthest removed from the driver or in a 5-inch square in the lower  
15 corner of the windshield nearest to the driver, if the system is used  
16 only for door-to-door navigation while the motor vehicle is being  
17 operated and outside of an airbag deployment zone.

18 (13) *Emergency vehicles as defined in Section 165, if the object*  
19 *or material does not interfere with the driver's clear view of*  
20 *approaching traffic.*

21 (c) Notwithstanding subdivision (a), transparent material may  
22 be installed, affixed, or applied to the topmost portion of the  
23 windshield if the following conditions apply:

24 (1) The bottom edge of the material is at least 29 inches above  
25 the undepressed driver's seat when measured from a point 5 inches  
26 in front of the bottom of the backrest with the driver's seat in its  
27 rearmost and lowermost position with the vehicle on a level  
28 surface.

29 (2) The material is not red or amber in color.

30 (3) There is no opaque lettering on the material and any other  
31 lettering does not affect primary colors or distort vision through  
32 the windshield.

33 (4) The material does not reflect sunlight or headlight glare into  
34 the eyes of occupants of oncoming or following vehicles to any  
35 greater extent than the windshield without the material.

36 (d) Notwithstanding subdivision (a), clear, colorless, and  
37 transparent material may be installed, affixed, or applied to the  
38 front side windows, located to the immediate left and right of the  
39 front seat if the following conditions are met:

1 (1) The material has a minimum visible light transmittance of  
2 88 percent.

3 (2) The window glazing with the material applied meets all  
4 requirements of Federal Motor Vehicle Safety Standard No. 205  
5 (49 C.F.R. 571.205), including the specified minimum light  
6 transmittance of 70 percent and the abrasion resistance of AS-14  
7 glazing, as specified in that federal standard.

8 (3) The material is designed and manufactured to enhance the  
9 ability of the existing window glass to block the sun's harmful  
10 ultraviolet A rays.

11 (4) The driver has in his or her possession, or within the vehicle,  
12 a certificate signed by the installing company certifying that the  
13 windows with the material installed meet the requirements of this  
14 subdivision and identifies the installing company and the material's  
15 manufacturer by full name and street address, or, if the material  
16 was installed by the vehicle owner, a certificate signed by the  
17 material's manufacturer certifying that the windows with the  
18 material installed according to manufacturer's instructions meets  
19 the requirements of this subdivision and identifies the material's  
20 manufacturer by full name and street address.

21 (5) If the material described in this subdivision tears or bubbles,  
22 or is otherwise worn to prohibit clear vision, it shall be removed  
23 or replaced.